

REMARKS

I. Introduction

Claims 1-23 are pending in the application. In the Office Action dated Feb. 19, 2008, the Examiner rejected claims 1-5, 7-17, 20, and 23 under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,687,211 ("Sawabe") and rejected claims 6, 18, 19, and 21-22 under 35 U.S.C. § 103(a) as being unpatentable over Sawabe in view of U.S. Pat. No. 5,115,419 ("Akayama"). In this Amendment, Applicant has amended claims 1, 3, 4, 5, 8, and 11 and cancelled claims 2, 10, 12, and 13.

II. Sawabe Does Not Anticipate Independent Claims 1 and 11

Amended independent claims 1 and 11 recite skipping content that is recorded in a format that is not compatible with a player channel format; playing back content that is compatible with the player channel format; and downmixing skipped content that is recorded in a format that is not compatible with the player channel format into content that is compatible with the player channel format after playing back content that is compatible with the player channel format. Sawabe fails to teach these elements.

Sawabe is directed to an information record medium on which audio information differing in recording methods are recorded and an apparatus for reproducing the same. Col. 45, line 21 – Col. 48, line 60 of Sawabe teach a method for playing back a musical piece that may be recorded in both a two-channel format and a multichannel format. Generally, Sawabe teaches choosing whether to play back a musical piece in a two-channel format or a multichannel format based on preferences set by a user and what formats a player supports. As part of choosing whether to play back a musical piece in a two-channel format or a multichannel format, a player prohibits the playback of any content in a format that is not supported by the player as recited in the originally filed claims. Sawabe fails to teach skipping incompatible content, playing back compatible content, and then downmixing skipped incompatible content into compatible content.

Sawabe fails to teach skipping content that is recorded in a format that is not compatible with a player channel format; playing back content that is compatible with the player channel format; and downmixing skipped content that is recorded in a format that is not compatible with the player channel format into content that is compatible with

the player channel format after playing back content that is compatible with the player channel format as recited in amended independent claims 1 and 11. For at least this reason, Sawabe necessarily does not anticipate independent claims 1 and 11, or any claim that depends on claims 1 or 11.

III. The Proposed Combinations Do Not Render Claims 1 and 11 Unpatentable

Akayama is directed to a disc playback device capable of continuously playing back a plurality of discs. Like Sawabe, Akayama also fails to teach skipping content that is recorded in a format that is not compatible with a player channel format; playing back content that is compatible with the player channel format; and then downmixing skipped content that is recorded in a format that is not compatible with the player channel format into content that is compatible with the player channel format. For at least this reason, the combinations of Sawabe and Akayama as contemplated by the Examiner do not render independent claims 1 and 11, or any claim that depends on claim 1 or 11, unpatentable.

IV. Sawabe and the Proposed Combinations Do Not Render Claim 8 Unpatentable

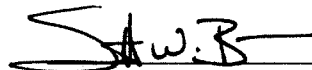
Amended independent claim 8 recites skipping audio title set information for content of the audio title set that is not compatible with a disc player audio output channel type; placing audio title set information in a table if the content of the audio title set is compatible with the disc player audio output channel type; and placing skipped audio title set information in the table for content of the audio title set that is not compatible with the disc player audio channel type but is downmixible to content that is compatible with the disc player audio channel type after placing audio title set information in the table if the content of the audio title set is compatible with the disc player audio output channel. Sawabe and Akayama each fail to teach skipping audio title set information for incompatible content, placing audio title set information in a table for compatible content, and then placing skipped audio title set information in the table for content incompatible content that is downmixible to compatible content. For at least this reason, Sawabe does not anticipate independent claim 8, or any claim that depends

on claim 8, and the proposed combinations of Sawabe and Akayama do not render independent claim 8, or any claim that depends on claim 8, unpatentable.

V. Conclusion

In view of the foregoing remarks and amendments to the claims, Applicant submits that the pending claims are in condition for allowance. Reconsideration is therefore respectfully requested. If there are any questions concerning this Response, the Examiner is asked to phone the undersigned attorney at (312) 321-4200.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S.W. Brim", is written over a horizontal line.

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